

RESOLUTION NO. 18-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE,
CALIFORNIA, ADOPTING A PROPOSITION 1 GRANT SUBRECIPIENT
AGREEMENT WITH THE GATEWAY WATER MANAGEMENT AUTHORITY
FOR A REGIONAL STORMWATER INFILTRATION PROJECT**

WHEREAS, on September 5, 2017, staff presented the City Council with a stormwater activities update report which included information on progress implementing its joint Watershed Management Program, Feasibility Study results for regional infiltration projects to meet regulatory compliance, and a Proposition 1 Grant Award; and

WHEREAS, Commerce's regional partners include the Cities of Bell, Bell Gardens, Cudahy, Huntington Park, Maywood, Vernon and LA County Flood Control District (LACFCD); and

WHEREAS, the WMP Group is commonly referred to as the Los Angeles River Upper Reach 2 Sub-watershed (LAR UR2 SW); and

WHEREAS, on May 28, 2013, Council authorized a Memorandum of Understanding (MOU) with the Gateway Water Management Authority (GWMA) for administration and cost-sharing of regional efforts among the LAR UR2 SW members; and

WHEREAS, there are four different WMP groups in the Gateway region and all utilize the GWMA as their fiduciary agent; and

WHEREAS, the LAR UR2's consultant and WMP group Chair (Commerce) developed a Proposition 1 application for two of its six regional projects, namely John Anson Ford Park (Bell Gardens) and Randolph Street Rail to Green Trail Infiltration Projects and the GWMA administratively submitted the application to the State Water Board on July 8, 2016 on behalf of the LAR UR2 SW; and

WHEREAS, the GWMA/LAR UR2 received a recommended grant award for the Ford Park Infiltration Project – Phase 1 in the amount of \$9,949,842 with a 10% match of \$1,105,538 for a total project cost of \$11,055,380; and

WHEREAS, typically, the match is 50%, however due to the LAR UR2 members qualifying as Disadvantage Communities (DAC), the match requirement is only 10%; and

WHEREAS, approximately half of Commerce drains into the Rio Hondo River through Bell Gardens and is directly related to Commerce's compliance with the WMP and TMDLs; and

WHEREAS, the WMP projects are regional projects based on drainage patterns that members of the WMP groups decided would best be addressed regionally and costs shared; and

WHEREAS, the LAR UR2 SW members agreed to continue with the existing MOU's cost-share allocation formula for the match contribution with one exception, the LACFCD needs more time to determine what their contribution will be for all 18 WMP/EWMP groups they participate in for design, construction, and operations and maintenance. Under the current MOU, they contribute 10% of the total costs towards WMP/CIMP development and special/feasibility studies and 5% for monitoring; and

Commerce's cost share is \$249,921.16 and fully funded in the current fiscal year budget; and

WHEREAS, the cost-share allocations are based on one half of the total costs equally shared by the participating members and one half based on each city's land area; and

WHEREAS, the GWMA approved the subject Subrecipient Agreement on January 11, 2018 and each participating agency needs to also approve and execute the same Agreement; and

WHEREAS, Bell Gardens will serve as the Lead Agency for CEQA and as Project Manager and will prepare a design, bid, build bidding packet and release it for bidding; and

WHEREAS, as previously done with other joint bids/RFPs, the LAR UR2 members will review bids and recommend award. GMWA will award the contract and submit payment requests to the State with reports provided by Bell Gardens for project costs incurred during a reporting period with GWMA managing the funds, disbursements, and collecting each member's match amount; and

WHEREAS, Commerce's role as Chair is to help coordinate the project execution, serve as the point of contact between the LAR UR2, GWMA and the Regional Water Board, and contribute its funding share.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. Authorizes staff to execute the Agreement.

Section 2. The Mayor is authorized to execute the resolution for and on behalf of the City of Commerce.

PASSED, APPROVED AND ADOPTED this February 6, 2018.

Oralia Rebollo, Mayor

ATTEST:

Lena Shumway, City Clerk